

**Before the
Federal Communications Commission
Washington DC 20554**

In the Matter of:)
Amendment of Part 97 of the) **Docket 04-140**
Commission's Rules, Amateur Service)

Comment Opposed to Petition to Reconsider

The Report & Order in 04-140 appropriately enhances the "phone" segment of the 75 meter band. The announced changes by the FCC should be enacted *en toto* as scheduled at 0500 GMT Dec. 15, 2006.

Introduction

Commenter is an individual Amateur licensee with no retail interests related to the hobby. This document is filed in Opposition to a Petition to Reconsider from the American Radio Relay League ("ARRL"), a small, non-profit publishing group based in Newington, Connecticut. Subscriptions to the ARRL are in decline and comprise less than a quarter of licensed Amateurs according to 2006 US Postal Service compliance records for magazine mailing status.

Background

The FCC's recent decision reapportioning and expanding several segments allocated to demonstrably popular voice communications ("phone") is the result of substantial sentiment identifying the under-utilized spaces that were reserved on a full-time basis for the declining specialty of morse code communications.

The group in Newington, in its last-minute Petition, has supplied no documentation to establish the basis for its assertion of hardship against a few users who can simply change frequency to comply with the Report & Order. In fact, the number of fixed-frequency Amateur operators who could make a hardship claim has declined to an unmeasurable level nationwide. The last such group, Novice Class licensees, were released by the FCC from mandatory crystal control approximately 30 years ago.

The publishing group includes a handful of digital buffs who are enamored with automatic data modes such as the

proprietary "WinLink" which uses ham radio to receive email from the internet. These modes also operate in the zone cited in the Petition, but these activities do not enjoy widespread support. The group further did not provide a factual accounting of why those automated stations would be unable to relocate for the greater good of the Amateur community that the FCC will serve with its Report & Order.

ARRL's challenge is unsupported

In failing to refute the Report & Order, the publishing group did not offer testimony from any aggrieved users it says would suffer from the re-apportionment taking effect. The FCC's Electronic Comment Filing System shows no complaints from other groups or individuals about the amount and placement of what will become the new boundaries in which mainstream voice communications may take place.

Checking for any direct impact on the Petitioner's public activities, the ARRL's club station, licensed as W1AW to its business compound in Newington, does not appear to be utilized for the type of communication Petitioner alleges could be disrupted by the Report & Order. The group has not complained of any direct impact on its activities.

Conclusion

Based on Petitioner's filing, a reader is left to conclude the group is simply upset that the FCC has rejected the older, meager proposal from the ARRL, and instead agreed with the broader Amateur community who convinced the Commissioners of the need for a more satisfactory improvement in the remaining boundaries between voice and other modes.

Subscribers are often told by this group of the need for voluntary coordination of modes and activities. The ARRL should allow time for such coordination to take place on its own, with a minimum of intervention by federal regulators who are offering the greater Amateur community a wonderful opportunity to demonstrate responsible use of the airwaves.

Comments OPPOSED from Paul S. Courson, Page 3

Please move forward with the changes as written in the Report and Order.

Signed,

/s/

Paul S. Courson

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14 Dec 2006